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PATENT

Practitioner's Docket No. CROSS-NN-CIP



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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JUL 02 2001  
TECHNOLOGY CENTER R3700

#5

Application of: HAYES, KYLE

Application No.: 09/685,708

Group No.: 3731

Filed: October 10, 2000

Examiner: NOT KNOWN

For: BONE STABILIZATION PLATE WITH A SECURED LOCKING MECHANISM CERVICAL  
FIXATION

Assistant Commissioner for Patents  
Washington, D.C. 20231

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT  
WITHIN THREE MONTHS OF FILING OR  
BEFORE MAILING OF FIRST OFFICE ACTION (37 C.F.R. section 1.97(b))**

**IDENTIFICATION OF TIME OF FILING THE ACCOMPANYING  
INFORMATION DISCLOSURE STATEMENT**

The information disclosure statement submitted herewith is being filed within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever event occurs last. 37 C.F.R. section 1.97(b).

**CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. section 1.8(a))**

I hereby certify that, on the date shown below, this correspondence is being:

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Date: June 25, 2001

Xiaojun J. Song  
Signature

(type or print name of person certifying)



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Applicant: Kyle Hayes

Examiner: Not Known

Serial No. 09/685,708

Group, Art Unit: 3731

Filed: 10/10/00

Date: June 25, 2001

For: **"BONE STABILIZATION PLATE WITH A SECURED LOCKING MECHANISM CERVICAL FIXATION"**

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Assistant Commissioner of Patents  
Washington, D.C. 20231

**INFORMATION DISCLOSURE STATEMENT**

Sir:

A bone plate assembly is provided having a fixation plate held in position in a bone by a plurality of fasteners. The fasteners extend through holes in the bone plate to engage the bone below. Further, the assembly includes a locking plate, which is secured to the fixation plate by means of a lock screw or in a further embodiment by a mechanically biased detent extending into a hole in the locking plate. The lock plate can also include a divot, which is shallower than the hole to hold the lock plate in a open position. Further, the locking plate has a dovetailed connection to engage the flanges defining the exterior edges of a channel and the fixation plate. The locking plate, thus, has a sliding connection from a first position where it has at least partial openings corresponding to the openings of the fixation plate for the fasteners, and optionally also for a graft screw. In a second position, the edge of the plate surrounding the opening overlaps the fastener openings so as to lock these openings against the fastener backing out. The locking plate lock screw opening is counter sunk in the second position to enable the lock screws with the exterior surface of the locking plate.

The applicant has met the requirements under §1.97(e)(1) inasmuch as the undersigned hereby states that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application (International Search Report enclosed).

The following patents and/or documents, copies enclosed, which the Examiner should consider with respect to the above-identified United States Patent Application:



PATENT NO.	DATE	NAME/COUNTRY
5,951,558	09/14/99	Fiz/USA
FOREIGN DOCUMENTS		
FR 2 778 088-A1	30/04/98	Assaker, et al./France
International Search Report		

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Copies of the publications are included for the express purpose of providing the Patent and Trademark Office with an ample opportunity to evaluate the same and to arrive at an independent assessment of their materiality, if any, with regard to the examination of the application.

In reviewing the enclosed copies of the above publications, the Examiner is requested to ignore any underscoring or highlighting which may appear because such markings may or may not have any relationship to the subject matter of the above-identified application. The copies being submitted with this Information Disclosure Statement are the best copies available at this time.

An examination of the present application considering the above documents is requested.

Respectfully submitted,

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